

WHITE PAPER

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From

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To

U.S. Department of Transportation
TRANSPORTATION SECURITY ADMINISTRATION
400 Seventh Street, SW
Washington, D.C., 20590

Title

ALLOWING THE PRIVATE SECTOR TO PERFORM COMMERCIAL DRIVER
BACKGROUND INVESTIGATIONS IN AN EFFORT TO DETECT AND IMPEDE
POTENTIAL TERRORISTS FROM GAINING ACCESS INTO THE NATIONAL
COMMERCIAL DRIVER POOL IN SUPPORT OF THE USA PATRIOT ACT

Length

4 Pages

Abstract

The USA Patriot Act, Section 1012, calls for the background investigation of commercial drivers with hazmat endorsements. We propose to expand this requirement to include all CDL holders and to perform the inquiries from a central, secured information center. **This program is in support of our nation's homeland defense operations.**

Fine points

- A. We are asking the newly chartered **Transportation Security Administration** to rule that all motor carriers, regional transit authorities and school systems submit their drivers to background investigations per Item C below for every existing driver and all future driver applicants as a condition of pre-employment.

- B. We ask the **Transportation Security Administration** to strengthen current regulations by directing all physicians to forward a copy of every medical examiner's certificate to our databank and direct MRO's to report all positive alcohol and/or controlled substances test results to our databank (as of a specified date to be determined).
- C. All existing drivers and driver applicants will be investigated accordingly:
- Comparison with FBI Wanted/Terrorists lists
 - Criminal investigation via FBI Criminal Databank
 - Confirmation of commercial driver's license with the Commercial Driver's License Information System (CDLIS)
 - Alien applicants will include:
 - Inquiry for legal status with INS Databank
 - Criminal investigation via US National Central Bureau of Interpol Databank
 - Plus whatever additional inquiries the DOT/FBI/INS mandate us to perform
- D. Now or at a future date we suggest to expand these services to:
- include Mexican and Canadian commercial drivers who may be dispatched into the United States
 - State licensing agents so that the holder of every CDL can be promptly investigated at the point of renewal

Process

1. We encourage the **Transportation Security Administration** rule that all motor carriers, regional transit authorities and school systems register with CDL Driver Consultants, LLC, provide us with a roster of every current driver and submit every driver applicant to us for a background investigation.
2. CDL Driver Consultants, LLC will acquire the necessary computer infrastructure and with access to those databanks listed in Item C above, will employ a trained staff sufficient to conduct these background investigations. In addition we will verify each driver applicant's medical examiner's certificate and notify the hiring carrier of any previous positive results from alcohol and/or controlled substances tests. Turnaround time for driver applicant investigations will not exceed three business days which is less than the typical turnaround time for mandated pre-employment controlled substances testing.
3. Individuals matched with the FBI Wanted/Terrorist lists, in possession of counterfeit CDL's, discovered illegal aliens and those individuals that meet or exceed criminal background thresholds will be reported per DOT, FBI and INS protocol.

Costs

All carriers will be required to pay annual fee of only \$85. This fee will make the program self-sufficient. Registration will identify each carrier in our database and facilitate communications between us. With the \$85 fee, we are confident there will be no need for

per driver applicant charges and its associated invoicing throughout the balance of each fiscal year.

Justification

- ⇒ First and foremost, **our proposal is in support of homeland security**. Currently no carrier compares driver applicants to any lists of known or suspected terrorists. We will do this in three business days or less.
- ⇒ Existing regulations (FMCSR Part 391.23) permits a hiring motor carrier 30 days to obtain a state-issued Motor Vehicle Record (MVR) with which to validate the driver applicant's CDL. We will do this in three business days or less.
- ⇒ If the DOT changes its current regulations and directs all physicians to forward a copy of every medical examiner's certificate to our databank and directs MRO's to report all positive alcohol and/or controlled substances test results to our databank **we will save the motor carrier industry tens of millions of dollars in annual operating expenses** by becoming a one-stop resource to perform driver applicant background investigations and we can do so as a matter of pre-employment.
- ⇒ Just as airlines will help offset the cost of security against terrorism by adding a recommended \$5 surcharge on each airline ticket, the motor carrier industry should be expected to help offset these anti-terrorism expenses as well. **We are confident that an annual fee of only \$85 from every registered motor carrier will make us self-sufficient with no additional costs to the carriers.**
- ⇒ We will be providing hundreds of jobs to a diverse workforce in northeast Ohio. These will be substantially paying jobs with benefits suitable for families.

Facilities

Would be located in Windham, Ohio near Cleveland. Site selection is complete and pending approval of our proposal. In addition to the main building, we have selected an office 18 miles off-site to house a separate computer system that will function in tandem with the system on-site. This insures a secure back-up if the on-site system fails in any way. Both sites will be equipped with electrical generators sufficient to keep business ongoing in light of a power disruption. **Disaster recovery** plans include reserving sufficient office space supplied with existing computer terminals that can be networked to our off-site computer system allowing for the temporary transfer of our employees to use and keep operations going for the rest of the nation.

Workforce

Portage and surrounding counties in northeast Ohio offers a quality workforce, racially mixed and in need of new job opportunities now. There is no doubt that this will attract employees from a regional area due to the magnitude of the center and its mission. We forecast employing between 100-200 people. We will be employing highly skilled Information and Communication Systems specialists, but mostly data entry and data retrieval

personnel who will be trained so we can draw from as wide of a workforce base as possible. These will be substantially paying jobs with benefits suitable for families.

Credentials

CDL Driver Consultants, LLC is a part time business that performs some local motor carrier consulting and supports the website www.CarriersAndDrivers.com. This business is very small and, if it is to our advantage, we are seeking this opportunity under the Department of Transportation's Small and Disadvantaged Business Office.

The proposal presented in this paper is well within my managerial and entrepreneurial capabilities. My professional background includes managing a \$46M/475 employee transportation division (with a national trucking fleet) of a Fortune 500 company for 10 years. Altogether I have 22 years of corporate level motor carrier experience and I will gladly supply you with my credentials and willingly subject myself to a thorough background investigation upon your request.

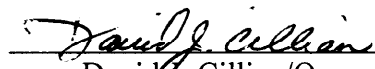
Summary

Any terrorists in our national commercial driver pool must be exposed. Today, a motor carrier has the legal authority to place a driver into a commercial truck or bus without first determining whether or not the driver applicant is posted on the FBI's known or suspected terrorists list, without performing a criminal background investigation, without validating the driver applicant's CDL and never has to authenticate the driver applicant's medical examiner's certificate. Simply stated, a terrorist can easily infiltrate the national commercial driver pool, be assigned to a motor vehicle with which to transport passengers or cargo that could include biological, chemical or explosive hazardous commodities...with or without a hazardous materials endorsement...and carry out an act of grave terrorism. **Our proposal will impede and prevent these terrorist activities.**

We have the ability to fulfill President Bush's mandate to improve homeland security. Our proposal directly impacts the lives of all Americans. We will be self-supporting, save the motor carrier industry tens of millions of dollars and provide hundreds of well paying jobs to a diverse workforce. With the support of the Department of Transportation as described herein, we are confident we can be fully operational in three months or less. Please advise. Thank you.

Sincerely,

CDL DRIVER CONSULTANTS, LLC


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